

C.R.R. 319 of 2022

In the matter of:- **Debaki Bagui**

Mr. Abhimanyu Banerjee
....for the petitioner

This is an application seeking for an expeditious disposal of a proceeding under Section 138 of the N.I. Act.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the complainant in this case. He filed a petition of complaint in the year 2016 in connection with the dishonour of a cheque of Rs. 2,25,000/-. The accused in this case has devised a peculiar ploy to avoid the matter being heard. He would appear on a particular date and participate in the proceeding. Then on subsequent dates, he would absent himself. After issuance of warrant of arrest, he would again appear and take bail. This has been repeated by the accused on several occasions. Despite issuance of warrant of arrest on so many occasions, the proceeding has remained pending for no fault of the present petitioner.

I have heard the submissions of the learned counsel appearing on behalf of the petitioner and have perused the revision petition.

It appears that once a warrant of arrest is issued, after some time the accused would appear and then again

abscond for a length of time. The proceeding has become unduly protracted in the process.

In view of the above and in the interest of justice, I request the learned trial Court to make all endeavour to conclude the proceeding at the earliest without granting any unnecessary adjournment to any of the parties and by taking all coercive measures to ensure the attendance of the accused, preferably within a period of six months from the next date of hearing.

With these observations, the revisional application is disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)